



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

July 19, 2021

VIA ECF

Hon. P. Kevin Castel
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Lin v. Cioppa*, No. 21 Civ. 4599 (PKC)

Dear Judge Castel:

This Office represents the government in this action in which the plaintiff seeks an order compelling U.S. Citizenship and Immigration Services ("USCIS") to adjudicate his Application to Register Permanent Residence or to Adjust Status (Form I-485). On behalf of the government, I write respectfully to request an on-consent extension of time of thirty days to respond to the complaint (*i.e.*, from August 9, 2021 to September 8, 2021). I also respectfully request that the initial conference presently scheduled for July 29, 2021 be adjourned *sine die*, or alternatively, to a date at least one week after the proposed extended date for the government's response (*i.e.*, on or after September 15, 2021).

The extension is respectfully requested because USCIS has issued a Request for Evidence ("RFE") seeking an updated medical report from the plaintiff, for which the response is due October 8, 2021. Counsel for the plaintiff has informed me that she anticipates that the RFE response (*i.e.*, the updated medical report) will be submitted next week. The additional time is thus requested to allow the plaintiff to submit the RFE response and USCIS to receive it and potentially take adjudicative action, which could render this action moot. The government thus respectfully submits that the requested extension and adjournment are in the interests of judicial and party efficiency and conservation of resources. This is the government's first request for an extension of the deadline to respond to the complaint and to adjourn the initial conference. Plaintiff consents to these requests.

I thank the Court for its consideration of this letter.

Respectfully submitted,

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United States Attorney

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cc: Counsel of record (via ECF)

*Time to respond
extended to September 8,
2021. Conference adjourned
from July 29 to
October 6, 2021 at 12:45 P.M.
Call In: 1-888-363-4749; Access
No. 3667981-50 ORDERED
7-20-21*